# GOVERNMENT OF INDIA
# LAW AND JUSTICE
# LOK SABHA

UNSTARRED QUESTION NO:33
ANSWERED ON:16.11.2016
Free Legal Service by NALSA
Siddeshwara Shri Gowdar Mallikarjunappa

**Will the Minister of LAW AND JUSTICE be pleased to state:**

(a) the number of people provided free legal services by National Legal Services Authority (NALSA) or State and District Authorities, State-wise and year-wise;

(b) the number of people who applied for free legal services by NALSA/State Authority/District Authority over the same period;

(c) the process of identifying eligible persons for providing free legal aid by the Government; and

(d) the details of any other measures taken by Government to ensure that each accused person has competent legal representation?

## Answer

ANSWER

MINISTER OF STATE FOR LAW AND JUSTICE AND ELECTRONICS AND INFORMATION TECHNOLOGY

(SHRI P.P.CHAUDHARY)

(a) & (b) A statement showing State/UT-wise and year-wise total number of eligible persons provided free legal services during the last three calendar years and the current year 2016 (upto 31.03.2016) is at Annexure-A.

(c) In terms of Section 12 of the Legal Services Authorities Act, 1987, the following persons are entitled to free legal services irrespective of their economic or social status:

(a) a member of a Scheduled Caste or Scheduled Tribes;
(b) a victim of trafficking in human beings or begar as referred to in article 23 of the Constitution;
(c) a woman or a child;
(d) a person with disability as defined in clause (i) of section 2 of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (1 of 1996);
(e) a person under circumstances of undeserved want such as being a victim of a mass disaster, ethnic violence, caste atrocity, flood, drought, earthquake or industrial disaster; or
(f) an industrial workman; or
(g) in custody, including custody in a protective home within the meaning of clause (g) of section 2 of the Immoral Traffic (Prevention) Act, 1956, or a in a Juvenile home within the meaning of clause (j) of section 2 of the Juvenile Justice Act, 1986 (53 of 1986), or in a psychiatric hospital or psychiatric nursing home within the meaning of clause (g) of section 2 of the Mental Health Act, 1987 (14 of 1987);
(h) a person in receipt of annual income less than rupees one lakh (in some States Rs. 50,000/-) if the case is before a court other than the Supreme Court, and less than Rs. 1,25,000/-, if the case is before the Supreme Court.

(d) All the eligible persons are provided free legal services through competent panel Advocates under the NALSA (Free and Competent Legal Services) Regulations, 2010. For the purpose, in every State, a State Legal Services Authority (SLSA) and in every High Court, a High Court Legal Services Committee have been constituted. District Legal Services Authorities and Taluk Legal Services Committees have been constituted in the Districts and most of the Taluks to provide free legal services to the eligible people.
Further, District Legal Services Authorities have appointed Advocates to represent the persons produced in custody in all Courts of Magistrates. During trial, it is the duty of the trial Court to ensure that no accused person whether in custody or on bail remains unrepresented by counsel. All accused in custody and those on bail who do not have a counsel are referred to the concerned Legal Services Institution for appointment of a counsel at State expense.

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Annexure -"A"
Statement as referred to in Reply to Part (a) & (b) of the Lok Sabha unstarred Question No. 33 for 16.11.2016 regarding free legal services by NALSA.
State/UT-wise and Year-wise number of eligible persons provided Free Legal Services during the last three calendar years and the current year 2016 (Based on the information made available by State Legal Services Authorities (SLSAs).

| S.No | Name of the State Authority | 2013 | 2014 | 2015 | 2016 (upto March, 2016) |
|---|---|---|---|---|---|
| 1 | Andhra Pradesh | 4,536 | 4,123 | 3,674 | 883 |
| 2 | Arunachal Pradesh | 23 | 57 | 155 | 92 |
| 3 | Assam | 21,911 | 2,313 | 1,156 | 220 |
| 4 | Bihar | 1,911 | 694 | 2,517 | 2,086 |
| 5 | Chhattisgarh | 62,548 | 49,230 | 43,410 | 11,098 |
| 6 | Goa | 812 | 1,034 | 1,060 | 307 |
| 7 | Gujarat | 8,050 | 10,173 | 12,004 | 3,296 |
| 8 | Haryana | 7,191 | 8,954 | 9,380 | 2,390 |
| 9 | Himachal Pradesh | 1,359 | 1,551 | 1,655 | 395 |
| 10 | Jammu & Kashmir | 1,120 | 4,927 | 2,288 | 453 |
| 11 | Jharkhand | 1,576 | 3,445 | 4748 | 1119 |
| 12 | Karnataka | 4,044 | 3,128 | 3,247 | 893 |
| 13 | Kerala | 8,802 | 11,754 | 14,933 | 2,587 |
| 14 | Madhya Pradesh | 45,645 | 23,606 | 49,305 | 8,990 |
| 15 | Maharashtra | 7,30,307 | 2,90,010 | 7,075 | 1,944 |
| 16 | Manipur | 16 | 67 | 81 | 31 |
| 17 | Meghalaya | 561 | 1,064 | 2,156 | 748 |
| 18 | Mizoram | 2,782 | 6,331 | 4,101 | 1,169 |
| 19 | Nagaland | 1,579 | 2,523 | 4,091 | 262 |
| 20 | Odisha | 4,422 | 3,960 | 3,321 | 802 |
| 21 | Punjab | 11,397 | 14,203 | 11,653 | 3,457 |
| 22 | Rajasthan | 5,860 | 6,748 | 7,247 | 1,997 |
| 23 | Sikkim | 685 | 848 | 1,016 | 283 |
| 24 | Tamil Nadu | 15,08,166 | 15,94,777 | 59,692 | 15,614 |
| 25 | Telangana * | 1,508 | 2,012 | 387 | |
| 26 | Tripura | 1,475 | 2,154 | 2,179 | 610 |
| 27 | Uttar Pradesh | 2,541 | 1,736 | 1,283 | 7,781 |
| 28 | Uttarakhand | 598 | 730 | 1,098 | 228 |
| 29 | West Bengal | 5,706 | 7,310 | 14,398 | 4,958 |
| 30 | A & N Islands | 97 | 45 | 67 | - |
| 31 | U.T. Chandigarh | 721 | 963 | 1,223 | 321 |
| 32 | Dadra and Nagar Haveli | 2 | 961 | 1,168 | 7 |
| 33 | Daman and Diu | 245 | 200 | - | 16 |
| 34 | Delhi | 31,681 | 43,869 | 32,175 | 7,360 |
| 35 | Lakshadweep | - | - | - | - |
| 36 | Puducheery | 4,665 | 2,196 | 728 | 401 |
| | | 24,83,034 | 21,07,192 | 3,06,296 | 83,185 |

Note: * Telangana came into being in June 2014.